

## Message Text

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ACTION EB-08

INFO OCT-01 AF-10 ISO-00 ERDA-05 AID-05 CEA-01 CIAE-00

COME-00 DODE-00 FEAE-00 FPC-01 H-01 INR-07 INT-05

L-03 NSAE-00 NSC-05 OMB-01 PM-05 USIA-06 OES-07

SP-02 SS-15 STR-04 TRSE-00 ACDA-07 /099 W

-----110693 301253Z /43

R 300926Z AUG 77

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC 0900

C O N F I D E N T I A L NAIROBI 11106

E.O. 11652: GDS

TAGS: EINV, KE

SUBJECT: SAUL CASE

REF: A) NAIROBI 6295; B) NAIROBI 4099

1. SAUL'S PARTNER MILLER AND LAWYER ARONSON CALLED AT EMBASSY WEEK OF AUGUST 15 TO REPORT THAT WITH COOPERATION PERMSEC MIN NATURAL RESOURCES OMINO, MILLER WAS ABLE TO OBTAIN PERMITS TO SHIP OUT PREVIOUSLY HIDDEN STOCK OF ORE. OMINO HAD ALSO INDICATED THAT HE PERSONALLY IN FAVOR OF JOINT VENTURE APPROACH FOR SETTling SAUL CLAIM. MILLER, WHO HAD NEVER HAD FORMAL DEPORTATION PROCEEDINGS BROUGHT AGAINST HIM, SAID HE HAD NO TROUBLE COMING TO KENYA NOR IN ARRANGING UNSORTED ORE FOR SHIPMENT. MILLER SAID HAD ONLY FOUND 17 TONS OF ORE AND ALLEGED THAT 8 TONS OR SO HAD BEEN STOLEN. HE STATED VALUE OF 17 TONS WAS \$35,000.

2. IN VIEW OF OMINO'S REPORTED ATTITUDE TOWARD JOINT VENTURE APPROACH, MILLER AND ARONSON ASKED EMBASSY TO PUSH PERMSEC TREASURY KIBINGE TO SUMMON OFT PROPOSED INTERMINISTERIAL MEETING ON SAUL'S PROPOSAL. ARONSON AGAIN VOLUNTEERED TO PRESENT SAUL'S CASE AT SUCH A MEETING.

3. PRESS OF BUSINESS PREVENTED KIBINGE FROM SEEING EMBOFFS PRIOR  
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TO AUGUST 29. DURING MEETING, WHICH COVERED OTHER SUBJECTS AS WELL AS SAUL CASE, KIBINGE PROMISED TO DISCUSS MATTER WITH OMINO LOOKING TOWARDS A MEETING ON THE JOINT VENTURE PROPOSAL. KIBINGE DID HOWEVER STATE HE FELT SAUL ASKING PRICE WAS FAR TOO HIGH ADDING THAT IN HIS VIEW ONLY A NOMINAL SUM SHOULD BE OFFERED TO SAUL AND INDICATED THAT GOK COULD ALWAYS TURN TO HIGH COURT. EMBOFF REPEATED UNDERSTANDING THAT ATTORNEY GENERAL'S

OFFICE NOT EAGER TO PURSUE LATTER COURSE AND MATTER LEFT WITH  
KIBINGE INSTRUCTING SUBORDINATE TO ARRANGE MEETING BETWEEN  
HIMSELF AND OMINO.

4. COMMENT: EMBASSY VIEWS RELEASE OF SORTED ORE AS GOOD FIRST  
STEP IN BREAKING LOG JAM ON THIS CASE AND INDICATION THAT MIN  
NATURAL RESOURCES AT LEAST, EAGER TO MOVE AHEAD TO SOME  
SORT OF SOLUTION THIS PROBLEM.

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## Message Attributes

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**Review Markings:**  
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